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**FISCAL IMPACT STATEMENT**

**LS 6907**

**BILL NUMBER:** SB 247

**NOTE PREPARED:** Jan 1, 2006

**BILL AMENDED:**

**SUBJECT:** Various Homeland Security Matters.

**FIRST AUTHOR:** Sen. Wyss

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill adds the Department of Homeland Security's building law compliance officer to the certification board that administers the provisions concerning qualifications for state public works projects.

The bill establishes the Indiana Intelligence Fusion Center to collect, maintain, and analyze intelligence information and other information relating to criminal activity or terrorism. The bill designates the Counterterrorism and Security Council (CTASC) and the Fusion Center as criminal justice agencies. It exempts CTASC from the open meetings law and the CTASC and Fusion Center from the open records law.

The bill combines five funds managed by the Department of Homeland Security (DHS) into the Homeland Security Fund, and provides that money in the fund reverts to the Fire and Building Services Fund if the Homeland Security Foundation is terminated.

The bill permits the Department of Correction (DOC) to read mail to and from offenders unless the mail is privileged, and prohibits the DOC from disclosing the contents of this mail unless certain conditions are met. It makes conforming amendments and technical corrections.

**Effective Date:** July 1, 2006.

**Explanation of State Expenditures:** *Homeland Security Foundation and Fund.* The bill replaces the Indiana Emergency Management, Fire and Building Services, and Public Safety Training Foundation with the Homeland Security Foundation. This provision will have no significant impact. It is possible the DHS will

experience additional administrative expenses associated with changing the name of the foundation. Signage, stationery, and other office supplies with the foundation's name may need to be purchased. The foundation is a public body corporate and politic. The foundation must administer the Indiana Homeland Security Fund. All expenditures of the foundation are paid from moneys in the fund.

*Counter Terrorism and Security Council.* The bill requires that the director of the Department of Agriculture must serve on the council as opposed to the assistant commissioner. The bill also adds the director of the Department of Natural Resources (DNR) or, if designated by the director, the deputy director who manages the Bureau of Law Enforcement and Administration. The bill also adds the State Veterinarian. The Council is not subject to the open meetings law. Adding members who are state employees should result in no significant fiscal impact. Providing that the Council does not have to conduct open meetings could save minor administrative expenses pertaining to notification of the meetings and other recording keeping.

*Indiana Intelligence Fusion Center.* The bill establishes the Center to collect, integrate, evaluate, analyze, disseminate, and maintain intelligence information. The DHS must operate the Center. The DHS must cooperate with the State Police Department and any other agency or organization, including an agency of local, state, or federal government, or a private organization. The Center may collect individual intelligence information under certain circumstances. Expenses for administering the Center will come from the DHS budget.

*DOC Examination of Correspondence.* The bill provides that the DOC may read and examine correspondence sent to or from a confined person unless it is clearly marked as correspondence that is privileged under state or federal law. The DOC may need to adopt procedures to inspect correspondence. The DOC should be able to adopt any necessary procedures given its existing resources.

**Explanation of State Revenues:** *Emergency Medical Services Certification.* The bill provides that the Emergency Medical Services Commission may impose a reasonable fee for the issuance of a certification. Currently, the Commission can not charge a fee except for the certification of emergency medical dispatchers. Under the proposal, the Commission must deposit certification fees in the newly established Emergency Medical Services Fund. The fund can be used to finance the DHS and the Commission. Under existing law, the fund consisted only of fees paid for certification as an emergency medical dispatcher. The balance of the fund as of 12/31/05 was \$223,376. The amount of revenue that will be generated by certification fees will depend on new fees set by the Commission and the number of applicants for certification. The Treasurer of State must invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Money in the fund at the end of a fiscal year does not revert to the state General Fund. Expenses of administering the funds are to be paid from money in the funds.

*Firefighting Certification.* The bill provides that the Board of Firefighting Personnel Standards and Education may impose a reasonable fee for the issuance of certificates related to firefighting standards and education. Fees collected must be deposited in the Fire and Building Services Fund. The DHS administers the fund. The Treasurer of State must invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Money in the fund at the end of a fiscal year does not revert to the state General Fund. Expenses of administering the funds are to be paid from money in the funds. The amount of revenue that will be generated by certification fees will depend on new fees set by the Commission and the number of applicants for certification.

*Merger of Funds.* After June 30, 2006, the Emergency Management Fund, the Fire Services Fund, the Building

Services Fund, the Emergency Medical Services Fund, and the Stewardship Fund are abolished. All money contained in the funds is transferred to the Indiana Homeland Security Fund (IHSF). The fund is established to fund projects of the DHS. This provision will have no impact on the amount of revenue generated because the source of funding for all funds, which was license plate sales and gifts, remains the same for the combined fund. The bill combines the revenue from the separate funds into one fund. However, the use of portions of the revenue for specified services could change in the combined fund. Balances for each of the funds are recorded below.

<b>Balance of Funds as of 12/31/05</b>	
Emergency Management Fund	\$157,351
Fire Services Fund	\$101,463
Building Services Fund	\$183,196
Emergency Medical Services Fund	\$223,376
Stewardship Fund	\$70,125
<b>Total for Homeland Security Fund</b>	<b>\$735,421</b>

Money in the fund at the end of a fiscal year does not revert to the state General Fund. If the foundation is terminated, the money reverts to the Fire and Building Services Fund.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** DNR, State Veterinarian, DHS.

**Local Agencies Affected:** Courts, law enforcement, and providers of emergency medical services.

**Information Sources:** DFBS.

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